



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

JUN 17 2016

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-101

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

The Honorable Lew Williams
Mayor
City of Ketchikan
334 Front Street
Ketchikan, Alaska 99901

Re: City of Ketchikan Charcoal Point Wastewater Treatment Facility
NPDES Permit Number AK-002144-0

Dear Mayor Williams:

On December 27, 2001, the U.S. Environmental Protection Agency (EPA) issued a National Pollutant Discharge Elimination System (NPDES) permit to the City of Ketchikan, Alaska ("City") for the Charcoal Point wastewater treatment facility ("Facility"), NPDES Permit Number AK-002144-0 ("Permit"). The Permit became effective on January 29, 2001 and expired on January 29, 2006. Subsequently, EPA administratively extended the Permit. The purpose of this letter is to notify you of violations EPA discovered upon review of administrative files including the Discharge Monitoring Reports (DMRs) submitted by the City, and in response to the inspection of the Facility conducted by EPA on July 10, 2015. The purpose of the inspection was to determine the City's compliance with the requirements of the Clean Water Act (CWA) and the NPDES Permit. I would like to express my appreciation for your staff's time and cooperation during the inspection. At the time of the inspection, the inspector did not find any areas of concern.

REVIEW OF ADMINISTRATIVE FILES

1. EPA reviewed DMRs from May 2011 through May 2016 and identified effluent limitation exceedances that constitute 70 violations of the CWA, 33 U.S.C. § 1251 *et seq.* A list of these violations is enclosed (Enclosure A).
2. Part II.C of the Permit states, in part, "Monitoring results shall be summarized each month on the Discharge Monitoring Report (DMR) form. The reports shall be submitted monthly and are to be postmarked by the 15th day of the following month."

Upon review of DMRs from May 2011 through May 2016, EPA found that the Facility did not report the "Fecal coliform. MPN, EC med, 44.5C" parameter for four of the months reviewed. These are violations Part II.C of the Permit. A list of the violations is enclosed (Enclosure B).

On December 21, 2015, the NPDES Electronic Reporting Rule became effective. Permittees with a DMR requirement will have one year from this date to submit DMRs through NetDMR. Additional information is enclosed (Enclosure C).

Although our goal is to ensure NPDES facilities comply fully with their permits, the ultimate responsibility rests with the permittee. As such, I want to strongly encourage you to continue your efforts to maintain full knowledge of the Permit requirements, and other appropriate statutes, and to respond appropriately to ensure compliance. Notwithstanding your response to this letter, EPA retains all rights to pursue enforcement actions to address these and any other violations.

I have enclosed a copy of the inspection report (Enclosure D). If you have any questions concerning this matter, please call Raymond Andrews of my staff at (206) 553-4252.

Sincerely,



Edward J. Kowalski
Director

Enclosures

cc: Mr. Mike Solter
Alaska Department of Environmental Conservation
michael.solter@alaska.gov

Mr. Karl R. Amylon
City Manager
Ketchikan, Alaska
karla@city.ketchikan.ak.us

Mr. Charles Mackey
Public Works, Wastewater Division Supervisor
Ketchikan, Alaska
charlesm@city.ketchikan.ak.us